

**IN THE CLAIMS:**

**Please amend the claims so as to read as follows:**

1. (Cancelled, without prejudice)
2. (Cancelled, without prejudice)
3. (Cancelled, without prejudice)
4. (Cancelled, without prejudice)
5. (Cancelled, without prejudice)
6. (Cancelled, without prejudice)
7. (Cancelled, without prejudice)
8. (Cancelled, without prejudice)
9. (Cancelled, without prejudice)

10. (Cancelled, without prejudice)

11. (Cancelled, without prejudice)

12. (Cancelled, without prejudice)

13. (Cancelled, without prejudice)

14. (Cancelled, without prejudice)

15. (Cancelled, without prejudice)

16. (Cancelled, without prejudice)

17. (Cancelled, without prejudice)

18. (Cancelled, without prejudice)

19. (Cancelled, without prejudice)

20. (Cancelled, without prejudice)

21. (Cancelled, without prejudice)

22. (Cancelled, without prejudice)

23. (Cancelled, without prejudice)

24. (Cancelled, without prejudice)

25. (Cancelled, without prejudice)

26. (Cancelled, without prejudice)

27. (Cancelled, without prejudice)

28. (Cancelled, without prejudice)

29. (Cancelled, without prejudice)

30. (Cancelled, without prejudice)

31. (Cancelled, without prejudice)

32. (Cancelled, without prejudice)

33. (Cancelled, without prejudice)

34. (Currently Amended) An optical disc reproducing device reproducing an optical disc having pits of at least two different depths formed therein, comprising:

- a photoreceptor element detecting a light beam reflected from said optical disc;
- a pit depth detecting unit detecting depth of the pit formed on said optical disc based on the quantity of the reflected light beam detected by said photoreceptor element;
- a servo signal generating unit generating a tracking servo signal based on the quantity of the reflected light beam detected by said photoreceptor element; and
- a polarity inverting unit inverting polarity of the tracking servo signal generated by said servo signal generating unit based on the result of detection by said pit depth detecting unit ;

wherein

said pit depth detecting unit includes a first detecting unit detecting a first signal based on the quantity of reflected light beam from said optical disc;

a second detecting unit detecting a second signal indicative of the difference in intensity distribution of the reflected light beam along the tangential direction of the pit string on said optical disc, and

a third detecting unit detecting the depth of the pit formed in said optical disc based on the first signal detected by said first detecting unit and the second signal detected by said second detecting unit; and

wherein

said third detecting unit includes a first comparing circuit  
comparing the second signal detected by said second  
detecting unit with a first reference value,  
a second comparing circuit comparing the second signal  
detected by said second detecting unit with a second  
reference value, and  
a flip-flop circuit holding the result of comparison by said  
first comparing circuit and the result of comparison  
by said second comparing circuit, at a point of  
transition of the first signal output from said first  
detecting unit.

35. Canceled, without prejudice.

36. Canceled, without prejudice.

37. Canceled, without prejudice.

38. Canceled, without prejudice

39. Canceled, without prejudice.

40. Canceled, without prejudice.

41. (Currently Amended) An optical disc reproducing device reproducing an optical disc having pits of at least two different depths formed therein, comprising:

a photoreceptor element detecting a light beam reflected from said optical disc;

a pit depth detecting unit detecting depth of the pit formed on said optical disc based on the quantity of the reflected light beam detected by said photoreceptor element;

a servo signal generating unit generating a tracking servo signal based on the quantity of the reflected light beam detected by said photoreceptor element; and

a polarity inverting unit inverting polarity of the tracking servo signal generated by said servo signal generating unit based on the result of detection by said pit depth detecting unit ;

~~The optical disc reproducing device according to claim 34,~~

wherein

said photoreceptor element includes a first element and a second element divided along the radial direction of said optical disc,

said first element includes a third element and a fourth element divided along the radial direction of said optical disc, and

said second element includes a fifth element and a sixth element divided along the tangential direction of the pit string.